

Resolution No. 2023-XXX N.C.S.
of the City of Petaluma, California

**ACCEPTING THE COMPLETION OF THE TRAFFIC SIGNAL TIMING IMPROVEMENT
PROJECT C16102250 BY DC ELECTRIC GROUP INC., AND AUTHORIZING RELEASE OF
THE 10% RETENTION AND FINDING THIS ACTION IS NOT A “PROJECT”
PURSUANT TO CEQA GUIDELINES SECTION 15301(C)**

WHEREAS, in accordance with the City of Petaluma Charter and Municipal Code, California Public Contract Code Section 20162, and other applicable laws, City staff solicited bids for the Project; and

WHEREAS, the project was bid on November 25, 2021, and five (5) bids were received and opened on December 9, 2021, in accordance with applicable law; and

WHEREAS, by Resolution No 2022-012 N.C.S. adopted on January 25, 2022, the City Council awarded the contract to the lowest responsible bidder, DC Electric Group Inc., from Cotati, CA for a base bid of \$128,240 conditioned on DC Electric Group, Inc. timely executing the Project contract and submitting all required documents and authorized and directed the City Manager to sign the Project Agreement on behalf of the City; and

WHEREAS, the final contract amount, as amended, including all change orders, overruns, and underruns, is \$316,995; and

WHEREAS, the Traffic Signal Timing Improvement Project C16102250 is categorically exempt pursuant to the California Environmental Quality Act (“CEQA”) and Title 14, the California Code of Regulations (“CEQA Guidelines”), Section 15301 because the project consists of repair and maintenance to existing traffic signal system.

WHEREAS, accepting the completion of the Project does not constitute a Project pursuant to CEQA Guidelines Section 15378 because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Petaluma hereby:

1. Declares that the above recitals are to be true and correct and are incorporated into this resolution as findings of the City Council.
2. Finds the Traffic Signal Timing Improvement Project C16102250 is categorically exempt pursuant to California Environmental Quality Act (“CEQA”) and Title 14, the California Code of Regulations (“CEQA Guidelines”), Section 15301, because the project consists of repair and maintenance to existing traffic signal system. involves negligible or no expansion of the existing use. Moreover, there are no cumulative impacts, unusual circumstances, or other factors that would make the exemption inapplicable.

Further, accepting the completion of the Project does not constitute a Project pursuant to CEQA Guidelines Section 15378 because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

3. Accepts as complete the contract titled Traffic Signal Timing Project, Project No. C16102250, with the final contract amount of \$316,995, subject to the Contractor's continuing warranty and other obligations pursuant to the contract.
4. Authorizes and directs the City Clerk to file a Notice of Completion concerning the Project with the Sonoma County Clerk's office within ten (10) days of the date of this Resolution.
5. Authorizes and directs Staff to release all undisputed retention not subject to pending change orders within sixty (60) days of the date of this Resolution and in accordance with the terms of the Project contract, California Public Contract Code Section 7107, and applicable law.

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE:

I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 9th day of January 2023, by the following vote:

Approved as to
form:

City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

City Clerk

Mayor